

**REMARKS**

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. According to the examiner's indication, we amended claims 1 and 4.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fosher(U.S.4,386,437) in view of Harris(U.S.4,499,741).

Applicant traverses the rejection for the following reasons.

It is submitted that Fosher neither disclose nor suggest all of the features of independent claims 1 and 4. Applicant discusses the reasons for each independent claim.

With respect to claim 1, Applicant, first of all, submits that Fosher fails to disclose or suggest the panels of the crown portion made of mesh material and overlapped with the emblems which is represented on outside of the headband, as recited in claim 1, as amended.

Applicant submits that Fosher discloses a crown formed of a plurality of wedge-shaped panels joined at

their side.

Applicant submits that the panels of the crown portion of Fosher is clearly distinct from the panels of the crown portion made of mesh material and overlapped with the emblems which is represented on outside of the headband of the claimed invention.

For the reason above, claim 1 and its dependent claims 2 and 3 are not obviousness by Fosher under 35 U.S.C. § 103(a) and are patentable.

Secondly, with respect to claim 4, Applicant submits that Fosher fails to disclose or suggest the panels of the crown portion made of mesh material and overlapped with the emblems which is represented on outside of the headband, as recited in claim 4, as amended.

Applicant submits that Fosher discloses a crown formed of a plurality of wedge-shaped panels joined at their side.

Applicant submits that the panels of the crown portion of Fosher is clearly distinct from the panels of the crown portion made of mesh material and overlapped with the emblems which is represented on outside of the headband of the claimed invention.

Thirdly, it is obvious that Fosher fails to disclose or suggest upper the brim portion secured to a forward portion of a peripheral edge of the crown portion, as recited in claim 4, as amended.

Applicant submits that Fosher discloses only the

visor extending forward from the front panel of the crown.

Applicant submits that the visor of Fosher is clearly distinct from the brim portion of the claimed invention.

For all of the reasons above, claim 4 and its dependent claims 5 and 6 are not obviousness by Fosher under 35 U.S.C. § 103(a) and are patentable.

And also, It is submitted that Harris neither disclose nor suggest all of the features of independent claims 1 and 4. Applicant discusses the reasons for each independent claim.

With respect to claim 1, Applicant, first of all, submits that Harris fails to disclose or suggest the panels of the crown portion made of mesh material and overlapped with the emblems which is represented on outside of the headband, as recited in claim 1, as amended.

Applicant submits that Harris discloses a stretchable knitted athletic headband comprising a tubular circularly-knitted fabric and a design printed on said outwardly visible portions.

Applicant submits that a stretchable knitted athletic headband of Harris is clearly distinct from the panels of the crown portion made of mesh material and overlapped with the emblems which is represented on outside of the headband of the claimed invention.

For the reason above, claim 1 and its dependent claims 2 and 3 are not obviousness by Harris under 35 U.S.C.

§ 103(a) and are patentable.

Secondly, with respect to claim 4, Applicant submits that Harris fails to disclose or suggest the panels of the crown portion made of mesh material and overlapped with the emblems which is represented on outside of the headband, as recited in claim 4, as amended.

Applicant submits that Harris discloses a stretchable knitted athletic headband comprising a tubular circularly-knitted fabric and a design printed on said outwardly visible portions.

Applicant submits that a stretchable knitted athletic headband of Harris is clearly distinct from the panels of the crown portion made of mesh material and overlapped with the emblems which is represented on outside of the headband of the claimed invention.

For the reason above, claim 4 and its dependent claims 5 and 6 are not obviousness by Harris under 35 U.S.C. § 103(a) and are patentable.

All objections and rejections having been addressed, it is respectfully submitted that claims 1-6 are now in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,

By : 

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